

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TIMOTHY DIETZ,

Plaintiff,

v.

QUALITY LOAN SERVICE CORP. OF
WASHINGTON; WELLS FARGO HOME
MORTGAGE; WELLS FARGO
BANK,N.A.; MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.;
MERSCORP, INC.; McCARTHY &
HOLTHUS LLP; DOE DEFENDANTS 1-
20,

Defendants.

CASE NO. C13-5948 RJB

ORDER DENYING LEAVE TO
PROCEED *IN FORMA PAUPERIS*
ON APPEAL

This matter comes before the Court on Plaintiff's application to proceed *in forma pauperis* on appeal. Dkt. 36. The Court has considered the application and the record herein.

Initially, it should be noted that this case remains open as there are remaining defendants that were not dismissed in the prior order. See Dkts. 30 and 34. Having failed to comply with filing deadlines in regards to the remaining defendants, Plaintiff has been ordered to show cause

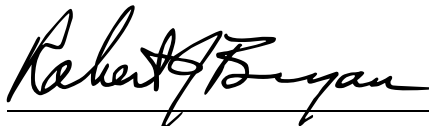
1 in writing, if any he has, not later than June 19, 2014, why this case should not be dismissed
2 without prejudice. See Dkt. 34.

3 Regardless of the status of the litigation, the Court should deny Plaintiff's request to
4 proceed *in forma pauperis* on appeal, without prejudice for Plaintiff to file with the Ninth Circuit
5 a request to appeal *in forma pauperis*. Plaintiff paid the filing fee to proceed in this Court and it
6 appears from his declaration that he has sufficient funds to pay the filing fee in the Ninth Circuit.
7 Plaintiff has not shown an inability to pay the appeal fee.

8 Therefore, it is hereby **ORDERED**:

9 Plaintiff's application to proceed in forma pauperis on appeal (Dkt. 36) is **DENIED**,
10 without prejudice for Plaintiff to file with the Ninth Circuit an application for *in forma*
11 *pauperis* status.

12 Dated this 3rd of June, 2014.

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15 ROBERT J. BRYAN
16 United States District Judge
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